

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 11, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-34321 – APPLICANT: CLEAR CHANNEL OUTDOOR, INC. – OWNER: BARTSAS MARY 13, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Special Use Permit (U-0059-96).
2. This Special Use Permit shall be placed on an agenda closest to August 21, 2012 at which time the City Council may required the Off-Premise Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign is removed.
3. The Off-Premise Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign.
4. The existing Off-Premise Sign is voluntarily demolished, this Variance (V-0046-92) shall be expunged and a new Off-Premise Sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
5. Bird deterrent devices shall be installed on the sign within 30 days of the final approval by the City of Las Vegas.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The application is in response to a Required Review of a previously approved Special Use Permit (U-0059-96) for a 14-foot by 48-foot Off-Premise Sign, which replaced a 12-foot by 24-foot sign on 5.06 acres at 3941 North Rancho Drive.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
08/21/96	The City Council approved a Special Use Permit (U-0059-96) for a 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign to replace an existing 12-foot by 24-foot sign on the west side of Rancho Drive, approximately 75 feet north of Jones Boulevard. The Board of Zoning Adjustment and staff recommended approval of the request.
10/03/01	The City Council approved a Required Five Year Review [U-0059-96(1)] of an approved Special Use Permit (U-0059-96) which allowed a 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign to replace an existing 12-foot by 24-foot Off-Premise Advertising (Billboard) Sign on the west side of Rancho Drive, approximately 75 feet north of Jones Boulevard. The Planning Commission and staff recommended approval of the request.
04/02/03	The City Council approved a Rezoning (ZON-1364) from C-2 (General Commercial), R-E (Residence Estates), R-MHP (Residential Mobile/Manufactured Home Park), and U (Undeveloped) to C-2 (General Commercial), C-1 (Limited Commercial), O (Office), C-V (Civic), R-E (Residence Estates), R-1 (Single Family Residential), and U (Undeveloped) to GC (General Commercial), O (Office), PF (Public Facility), ML (Medium-Low Density Residential) and DR (Desert Rural) on property located on or in close proximity to, both sides of Rancho Drive from Vegas Drive to the northern City limits at Moccasin Road. The Planning Commission and staff recommended approval of the request.
08/20/03	The City Council approved a General Plan Amendment (GPA-2528) from SC (Service Commercial) to GC (General Commercial) on the northwest corner of Jones Boulevard and Rancho Drive. The Planning Commission recommended denial, but staff recommended approval of the request.
<i>Related Building Permits/Business Licenses</i>	
03/18/97	A building permit (#97005379) was issued for an Off-Premise Sign at 3941 N. Rancho Drive. The permit was finalized on 04/29/97.
05/11/99	A building permit (#99009036) was issued for electrical service to an Off-Premise Sign at 3941 North Rancho Drive. The permit was finalized on 05/18/99.

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<i>Pre-Application Meeting</i>	
A pre-application meeting is not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	
<i>Field Check</i>	
05/07/09	<p>A field check was completed on the indicated date. Planning and Development identified the following issues:</p> <ul style="list-style-type: none"> • Bird feces on both sign faces • No embellishments were identified on the sign • The pole and support structure were free of graffiti

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	5.06

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped Land	SC (Service Commercial)	C-2 (General Commercial)
North	Convenience Store with associated Fuel Pumps	GC (General Commercial)	C-2 (General Commercial)
South	Single-Family Dwellings	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Retail and Undeveloped Land	GC (General Commercial)/ML (Medium Low Density Residential)/SC (Service Commercial)	U(ML) [Undeveloped (Medium Low Density Residential) General Plan Designation] and C-2 (General Commercial)
West	Condominiums	M (Medium Density Residential)	R-3 (Medium Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District – (105 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

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DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Sign may be located within public right-of-way	Sign is not located in the public right-of-way.	Y
Zoning	Off-Premise Signs are permitted in C-1, C-2, C-M and M zoning districts only	Sign is in a C-2 (General Commercial) zoning district.	Y
Area	No Off-Premise Sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	Sign is 672 square feet and does not have an embellishment.	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to a maximum of 55 feet with approval of the City Council if significantly obscured from view of travel lanes.	Sign is 40 feet tall	Y
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	Structural elements of the sign are screened from view.	Y
Off-Premise Sign (Billboard)	At least 750 feet to another Off-Premise Sign along US-95 or at least 300 feet to another Off-Premise Sign (if not along US 95)	Sign is 300 feet from another Off-Premise Sign	Y
Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" or "U" zoned districts	Sign is 190 feet from a "U" zoned district to the east	N
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes	Sign is permanently attached to the ground and is not located on property zoned for residential use	Y

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ANALYSIS

This is the second Required Review of an approved Special Use Permit (U-0059-96) for a 14-foot by 48-foot Off-Premise Sign to replace an existing 12-foot by 24-foot sign on the west side of Rancho Drive, approximately 75 feet north of Jones Boulevard. A site visit was conducted on 05/07/09 by the Planning and Development Department. The site inspection revealed that there were no embellishments, but found that the support structure and sign was covered in bird feces. A condition of approval has been included, requiring the billboard be properly maintained at all times. A research of the building permit activity found that permits #97005379 and #99009036 were issued for the billboard sign with a final inspection received on 04/29/97 and 05/18/99 respectively. It should also be noted that the billboard is located within the Off-Premise Sign Exclusionary Zone, but is legally non-conforming as the sign was constructed prior to establishment of the zone.

FINDINGS

The sign is located within a C-2 (General Commercial) zoning district and is within the Off-Premise Exclusionary Zone. Staff finds that there is no adverse impact regarding the continued use of the sign, as there have been no significant development or land use in the surrounding area; therefore, staff recommends approval, subject to a three-year review.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

ASSEMBLY DISTRICT 1

SENATE DISTRICT 6

NOTICES MAILED 322

APPROVALS 1

PROTESTS 1